

**REMARKS**

**A. Amendments to the claims**

Claims 1, 7 and 9 are pending in the application. With this response, claim 9 is amended.

**B. 35 USC 112, second paragraph**

Claim 9 stands rejected under 35 USC 112, second paragraph for the recitation of the phrase "such as" which the Examiner contends renders the claim indefinite.

The Applicants have amended claim 9 with the deletion of the indefinite "such as" phrase. In view of the amendment, the Applicants respectfully request removal of this 35 USC 112 rejection of claim 9.

**C. 35 USC 102(a)**

Claims 1, 7 and 9 stand rejected under 35 USC 102(a) over Salunke et al (J. Med. Chem., 2/2004). The Examiner contends that the inventive entities of the cited reference and the instant application differ.

In the Applicants' Response of June 8, 2006, the Applicants submitted that the authors of Salunke et al (J. Med. Chem. 2/2004) are the same as the inventors of the present application, and that a declaration was intended. The Applicants unintentionally overlooked the fact that Manoj Kumar Bhat is an author of the cited referenced, but not an inventor of the present invention.

The Applicants enclose herein, a Declaration under 37 CFR 1.131 signed by inventor Salunke declaring all the authors of the published reference are also the inventors of the present invention, with the exception of author Manoj Kumar Bhat who provided technical assistance for the disclosed, but did not contribute to the invention as claimed. The Applicants further submit that the reference subject matter is derived from the invention by Applicants.

**D. CONCLUSION**


Applicants respectfully submit that all conditions of patentability are met in the pending claims as amended. All amendments herein are made without prejudice. The Examiner is respectfully requested to pass the application to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop After Final, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on


January 3, 2007  
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(Date of Transmission)

Trisha Lozano  
\_\_\_\_\_  
(Name of Person Transmitting)

  
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(Signature)

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(Date)

Respectfully submitted,

  
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Enclosures: Declaration under CFR 1.131 (2 pages)  
Petition 37 CFR 1.136(a) in duplicate (2 pages)  
Check for \$450.00  
Postcard